

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FIFTH AVENUE DEVELOPMENT LLC,

Plaintiff,

v.

NORTH PACIFIC INSURANCE
COMPANY,

Defendant.

No. C06-1603Z

ORDER OF DISMISSAL

Counsel having notified the Court of the settlement of this matter and it appearing that no issue remains for the Court's determination,

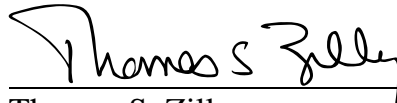
NOW, THEREFORE, IT IS ORDERED that this case is DISMISSED with prejudice and without costs.

In the event settlement is not perfected, either party may move to reopen and trial will be scheduled, provided such motion is filed within 60 days of this date.

IT IS SO ORDERED.

The Clerk of this Court is directed to send uncertified copies of this Order to all counsel of record.

DATED this 24th day of October, 2007.


Thomas S. Zilly
United States District Judge